مختصر أحكام رمضان في الإنجليزية من الكتابين في المذهب الشافعي

فتح المعين بشرح قرة العين و عمدة السالك وعدة الناسك

Excerpts of Rulings from

Umda tu Ssalik & Fat hul Mu'een

RAMADAN

in

Shafi Madh'hab

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imanguide.com

Before reading ....

Now a days, many books available with regard to ruling of fasting in Ramadan. However, it is frustrating to see that some of those books doesn't commit to explain rulings based upon a mad'hab (fiqh school of thought) while all the books authored in fiqh up to the last century belong to one of the four Mad'aahib.

This booklet is the excerpts of two books of Shafi'e Mad'hab named 'Umada tu Ssalik wa Uddatu nnasik' and 'Fat'hul Mueen bi Sharahi Qurratil ain'. Both are widely taught in schools and colleges as the part of Shafi'e Fiqh.

Most part of the booklet is from the book Umda. To make reading easy, sequence of the topics changed in some places.

I gratefully thank author of 'Reliance of the Traveller and Tools for the Worshipper' the translation of Umda tus Salik wa Uddathun Nasik which helped me in finding appropriate English expressions.

I made every effort to avoid mistakes, if any error found please don't hesitate to e-mail. Your prayer for me and my family appreciated.

-Abdul Shaheed Azhary

رَبِّ اغْفِرْ لِي

وَلِوَالِدَيَّ

رَبِّ ارْحَمْهُمَا كَمَا

صَغِيرًا رَبَّيَانِي

Contents

Arrival of Ramadan: 5

How the month of Ramadan established? 5

Difficulty in knowing the arrival of Ramadan 5

Witness to the new moon 6

New moon sighting 6

Who should fast in Ramadan? 7

Children and fasting 7

Following persons are not obliged to fast 7

Traveller: 8

Breast feeding women 8

Extreme hunger or thirst 9

Fasting when it is not obligatory 9

If status of obligatory comes in the middle of day? 9

Conditions of a valid fast: 9

Intention (niyyat) 10

Full text of intention: 10

Intention on the night of doubt: 10

Difference between 30th day of Sha'aban and 30th day of Ramadan 11

Things that do not break the fast 11

Things that make the fast invalid 12

When the fast becomes invalid? 14

What to do if one's fast becomes invalid during the day? 14

Make up and expiation 15

Need 'mud', no need 'make up' 15
Who is to make up missed days? 15
Expiation for annulling Ramadan fast by sexual intercourse 16
Eating or drinking in uncertainty 17
Recommended things (sunan) 17
Do's and Don'ts in Ramadan 19
Haraam during the fast: 19
Makrooh during fast: 19
Not makrooh during fast 19
I'tikaf 20
What is I'tikaf? 20
Who is allowed to observe I'tikaf? 21
Best way is to observe I'tikaf 21
Vowing to observe I'tikaf in certain mosques 21
I'tikaf becomes void 22
Vow to observe a certain consecutive period in I'tikaf 22

In the name of Allah, the Most Gracious, the Most Merciful

(after preface)

Arrival of Ramadan:

Originally, in Arabic the word 'as-Sawm' meant 'al-Imsak'. As an Islamic term, it means to abstain from things that break the fast with certain conditions. It was declared as obligatory (fard) in the month of Sha'aban , second year of Hijra. Ramadan is special gift to ummah of prophet Mohammad (S.A) and one who denies he will be considered out of Islam.

How the month of Ramadan established?

There are two ways to establish the arrival of month of Ramadan. They are:

1. By completing 30 days from Sha'a'ban, the eight month of Islamic Calendar.
2. Eye sight of the new moon of Ramadan, the ninth month of Islamic Calendar.

Difficulty in knowing the arrival of Ramadan

For one it is impossible for him to know which month it is - like someone who is held in a dark place – has to try his best to estimate and begin the fast.

His fast is valid

1. if the month he fasted remained unknown
2. if the month he fasted actually coincided with month of Ramadan.
3. If the month he fasted befell after Ramadan.

His fast is not valid if the month he fasted occurred before Ramadan. But that fast considered recommended fast(nafl) if he doesn't have any remaining obligatory fasts. It will be considered as obligatory fast if he has some obligatory fasts to do.

Witness to the new moon

A single witness is adequate to establish the coming of Ramadan, but two witnesses needed in other months. The witness should be male, just and accountable (mukallaf).

New moon sighting

Fasting Ramadan becomes obligatory only when the new moon of Ramadan is sighted. If the sky is cloudy and the new moon was not seen then Sha'ban is presumed to last for thirty days, and next day is considered as the first day of Ramadan. If the new moon is sighted during the day, it is considered as belonging to the following night.

If the moon is seen in a town and not seen in another; then if the both are adjacent, the ruling applies nearby town. However, if the two are not adjacent, then the ruling does not apply to nearby town. A town is considered ' not adjacent' if the sunrise is

different such as Hejaz, Iraq, and Egypt. It is also said that 'not adjacent' means the 'distance of qasr' ie: 82 miles[1].

Who should fast in Ramadan?

Fasting Ramadan is obligatory if a person fulfilled following conditions :

1. Adult
2. sane
3. Muslim
4. who reached puberty and is
5. capable of fasting.

At the period of menstruation (haid) or postnatal bleeding (nifas) females are not allowed to fast.

Children and fasting

A child of seven is ordered to fast, and at ten he is beaten for not fasting.

Following persons are not obliged to fast

1. non-Muslim
2. a child;

[1] 82 miles equal to 132 K.M.

3. an insane;
4. not able to fast because of old age or having a sickness from which he is not likely to recover.

Traveller:

- It is allowed not to fast when travelling 82 miles or above.
- He should leave his town before dawn(fajr)
- It is not allowed to break the fast if he travels after dawn(fajr).
- Breaking the fast is better to the traveller, if the fast causes harm to him. If there is no harm, it is better to fast.

Breast feeding women

Breast-feeding woman or pregnant is allowed not to fast if she fears harm to

- herself alone or
- both herself and her child.

She may omit the fast and make it up later. However, if she fears harm to her **child alone**, she has to give one 'mud' (approximately 700-750 grams) of food in charity for each day she missed in addition to making up(qada). Giving 'mud' is like an expiation.

Extreme hunger or thirst

It is allowed to break the fast if one fears that excessive hunger or thirst likely to cause death or illness.

Fasting when it is not obligatory

If the ill person or traveller take it upon themselves to fast, it is valid, though a fast by someone who has left Islam, or a woman in menstruation or period of postnatal bleeding is not valid.

If status of obligatory comes in the middle of day?

When not fasting on a day of Ramadan, if a non-Muslim becomes a Muslim, an insane person regains his sanity, or a child reaches puberty; it is recommended but not obligatory that they fast the rest of that day and make up the fast later. A child who reaches puberty while fasting on a day of Ramadan is obliged to fast the rest of the day, and is recommended to make it up.

A woman whose period ends during a day of Ramadan is recommended to fast the rest of the day and is obliged to make up the fast of that day .

Conditions of a valid fast:

The conditions of a valid fast are:

1. the intention;
2. and refraining from things which break the fast.

Intention (niyyat)

The intention to fast should be made each day. The obligatory fasts has two more conditions:

1. It should be specific
2. It should be made in the night before dawn(fajr).

In nonobligatory fasts, one can make intention to fast before noon.

Intention should be done through heart. Its pronouncing is sunnah and not obligatory. Predawn meal(sahoor) is not sufficient to niyaat if he didn't visualize qualities of fast that should be rendered during the intention.

Doubt whether the intention occurred before fajr or after fajr invalidates the intention.

Full text of intention:

The perfect way is to intend in his heart as following: For most high Allah, I intended to fast next (following) day in its right period in the month of Ramadan of this year.

Intention on the night of doubt:

The 30th day of Sha'aban called the day of doubt. The intention is valid on that night if he intended to fast based upon the statement of trustable person (though not acceptable as witness) that he saw the new moon and the next day turned out be first day of Ramadan. If he intended without any basic, his intention is not valid.

Difference between 30th day of Sha'aban and 30th day of Ramadan

The original assumption of the 30th day of Sha'aban is that it will turn out to be the 30th day of Sha'aban, so intention at the night of doubt that he would fast coming day is **not valid**. On the other hand, the original assumption of the 30th day of Ramadan is that it will turn out to be the 30th day of Ramadan, so intention at the night prior to 30th day of Ramadan that he would fast coming day is **valid**.

Things that do not break the fast

Followings do not invalidate the fast:

1. unintentional vomiting;
2. having a wet dream or ejaculation occurred because of thinking or looking at something
3. entering some water to the body cavity because of moderate rinsing or inhaling at the time of ablution. If water entered because of using too much water the fast will be void.
4. Entering some water to the body cavity because of obligatory bath such as janaba while bathing without immersing in water.
5. saliva that passed through some food elements which remained between teeth and he was unable to differentiate between the two and to spit it out.

6. Swallowing the saliva gathered in the mouth
7. coughing up phlegm from the throat and spitting it out
8. Spitting out the food in one's mouth found at the time of dawn arrival.
9. immediate disengaging from the sexual intercourse continued up to dawn arrival.
10. Sleeping all day provided he made intention in the night.
11. Losing consciousness all day, provided he regains it for at least a moment of the day.
12. Ejaculation occurred without touching skin.
13. Eating or drinking while one does not remember he is fasting
14. Eating or drinking while one does not know that it is invalidating fast.
15. Eating or drinking under someone's coercion.
17. Swallowing the effect of mouth rinsing water, i.e. one is not obliged to dry the mouth after the rinse.

Things that make the fast invalid

1. eating

2. drinking
3. Inhaling into the nostrils
4. taking vaginal or anal suppository
5. pouring water into the ears until it reaches the brain;
6. inserting a finger or any other items into the anus or into vagina to the extent that it went in more than the area disclosed at the time the lady sits on her leg.
7. Arrival of any substance into the body cavity from an open inlet, whether by piercing or medicine.
8. Voluntary vomiting
9. sexual intercourse
10. masturbation by touching that resulted in ejaculation
11. arrival of some water to the stomach(body cavity) at the time of rinsing out nose and mouth if he used water in large amount.
12. swallowing spittle that has left the mouth or altered or has been made impure by contact of filth;
13. swallowing the phlegm that one could have spit it out after it came out up to the visible area of mouth.
14. continuance of sexual intercourse, even for a moment, after the dawn came.

15. Entering some water to the body cavity while non-obligatory bathing.
16. insanity, even for a moment
17. unconsciousness the entire day
18. menstrual or postnatal course

When the fast becomes invalid?

By doing anything that invalidate the fast, one's fast would not become invalid unless he does it on following three situations:

1. He remembers that he is fasting ie doing it deliberately.
2. He knows that it is forbidden (haram) and it invalidates the fast.
3. He is not forced to do it.

What to do if one's fast becomes invalid during the day?

There are things which invalidate the fast. If one's fast becomes invalid- for example because of the deliberate eating or drinking on fast day with knowledge that it is sin – he has to remain as he is in fasting status the rest of that day. As such, after Ramadan, he is obliged to make up that day by fasting another day.

Make up and expiation

It is recommended to make up the missed fast-days consecutively as soon as possible. Delaying them to next Ramadan is not allowed unless there is an excuse such as continuous sickness. If one delays without excuse until the next Ramadan, he should pay (penalty) 'mud' (approximately 700-750 grams) of food to poor for the each fast-day he missed along with making up the missed days. If one delayed without excuse until second Ramadan, he has to pay two 'mud' (approximately 700-750 grams). And so on, he has to add one 'mud' (approximately 700-750 grams) for each year.

If someone passed away with unperformed fast-days which he could have fasted but did not, then responsible family member should pay one 'mud' (approximately 700-750 grams) liters of food for each day.

Need 'mud', no need 'make up'

Someone who misses a fast because of old age or having a sickness from which he is not likely to recover must give one 'mud' (approximately 700-750 grams) for each fast-day he misses.

Who is to make up missed days?

The following are not required to fast, though they are obliged to make up fast-days missed. It means they have to fast a single day for each missed day.

1. one who is ill and didn't fast because he fears the illness would deteriorate or the recovery would be delayed if he fasts.
2. one who is travelling
3. a person who has left Islam
4. a woman who is in her menses or period of postnatal bleeding.

Expiation for annulling Ramadan fast by sexual intercourse

Beside performing the qada (make up) of fast-days of Ramadan that are annulled by sexual intercourse, one has to expiate for them. Expiation is obligatory for each day it annuls.

The expiation goes in following order:

1. freeing a Muslim slave who is sound of harmful defects; if it is not possible
2. fasting two consecutive months; if it is also not possible;
3. feeding sixty poor fellows.

If one is unable to do any of these three things, the expiation remains as an un-discharged obligation.

The woman involved in the such sexual intercourse no need to expiate.

Eating or drinking in uncertainty

Qada (making up) is obligatory when

1. One eats thinking that it is night, but later he discovered it was day.
2. One eats guessing that sun has set, but his confusion whether he ate before the sunset or after the sunset remained uncertain.

Qada (making up) is not obligatory when one eats thinking that dawn has not yet come, but his presumption whether he ate after the dawn arrival or before dawn arrival remained uncertain.

Recommended things (sunan)

1. A predawn meal is recommended, even if it is slight like drinking water.
2. Time of sahour starts from midnight, but it is better to delay it to just before dawn, as long as one does not fear of dawn arrival while still eating .
3. Using perfume at the time of sahour.
4. Hastening the fitr/breaking fast is the best practice provided that he is certain of the sunset.
5. Doing fitr first and then praying magrib if one didn't fear the elapsing of jamaat prayer or takbeeratul ihram.

6. Dates are the best thing to break the fast; however if not available, water is the next best choice.

7. It is recommended to say ' اللهُمَّ لَكَ صُمْتُ وَعَلى رِزْقِكَ أفْطَرْتُ ' meaning ' Oh Allah, for You only fasted and upon Your generosity I have broken the fast.

8. While breaking fast by water one has to say

   "ذَهَبَ الظَّمأ، وابتَلّتِ العُروقُ، وثَبتَ الأجْرُ إن شاءَ الله تعالى".

   (Thirst has gone, the veins are moist, and the reward is assured, if Allaah wills).

9. Generosity and giving charity.

10. Increase and tighten the relations with family and relatives.

11. Reading too much from Quraan

12. Observing I'tikaaf in the mosque, especially during the last ten days of Ramadan

13. Facilitating others to break the fast by giving food, even if it is only with water

14. Performing obligatory bath before dawn if he is in state of janabat.

15. Quitting from slander, lying and using obscene language.

16. Quitting the worldly desires

17. Quitting the bloodletting –a kind of medical treatment
18. Quitting the cupping – a kind of medical treatment.
19. It is recommended to say 'I'm fasting' if someone hurt the fasting person
20. Performing obligatory bath before fajr prayer.

Do's and Don'ts in Ramadan

Haraam during the fast:

1. Kissing is haram (forbidden) if one fears of orgasm (ejaculation)
2. Not taking any food in the nights between two fast-days. If one takes water before dawn - even if it is only a swallow – then there is no issue of being haram.

Makrooh during fast:

1. Tasting the food
2. Chewing gum
3. Using toothbrush after the noon
4. To keep silent all the day until night(it applies to fasting person and others)

Not makrooh during fast

1. Lining the eye with kohl

2. Bathing

I'tikaf

It is recommended, at any time, to observe (i'tikaf) in the mosque. it is mostly recommended in Ramadan, especially in the last ten days of it, because Laylat al-Qadr "the Night of the Divine Decree" is expected to fall on those days. It could happen on any night of Ramadan, but It probably occurs within the last ten nights, more likely on the odd numbered ones.

It is also recommended to say on laylatul Qadr

اللّهُمَّ إِنَّكَ عَفْوٌ تُحِبُّ العَفْوَ فَاعْفُ عَنِّي

, "O Allah, You are oft - sympathizing and love to forgive, so forgive me."

What is I'tikaf?

I'tikaf means staying in mosque. The smallest time of observing i'tikaf is a staying with the intention of I'tikaf, but staying time should be more than the minimum time of tuma'nenna (repose in prayer). The staying should be in a mosque. Only passing through mosque couldn't be considered as I'tikaf, but if he walked in and out through the same side or entrance of the mosque, it is enough for him and no need to observe above said 'smallest time'.

Who is allowed to observe I'tikaf?

One who observes I'itikaf should be Muslim, sane, conscious, and free of major ritual impurity

Best way is to observe I'tikaf

1. while fasting
2. in Friday prayer mosque.
3. not less than a day

Vowing to observe I'tikaf in certain mosques

If one vows to observe i'tikaf in any of following mosques, then it cannot be fulfilled by observing it in any other mosques.

1. Al-Masjid al-Haram (Makah)
2. Al-Masjid al-Aqsa (Jerusalem)
3. Masjid al-Medina;

Vow to observe I'tikaaf in last two mosques can be fulfilled if he observed in the first one(masjid al haram), but not vice versa. As such, vow to observe it in second mosque(al aqsa) can be fulfilled if he observed it in the last one(al madina), but not vice versa.

Mosques other than these three mosques are equal in virtue, therefore the vow to observe I'tikaaf in certain mosque can be fulfilled by observing it in any mosque.

I'tikaf becomes void

I'tikaf becomes void if one engaged in sexual intercourse or ejaculated by sexual touching.

Vow to observe a certain consecutive period in I'tikaf

If one vows to observe I'tikaf for a consecutive period of time, then one is obligated to do so. Consecutiveness means to stay in mosque without leaving mosque. But he is allowed to leave mosque for something necessary such as eating , drinking, toileting, the illness, commencement of menses or like when he observes the 'consecutive I'tikaf' and these will not invalidate it. Though, he is not allowed to go out if drinking is possible in mosque.

However, one is not allowed to leave the mosque to visit a sick person, perform a funeral prayer (janaza), or attend the Friday prayer (jumu'a) and if he do so these will invalidate I'tikaf.

Touching another with sexual desire is unlawful for someone in spiritual retreat (i'tikaf).

It is not permissible for a wife to make spiritual retreat without her husband's permission.